

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ORIGINAL

UNITED STATES OF AMERICA

- v. -

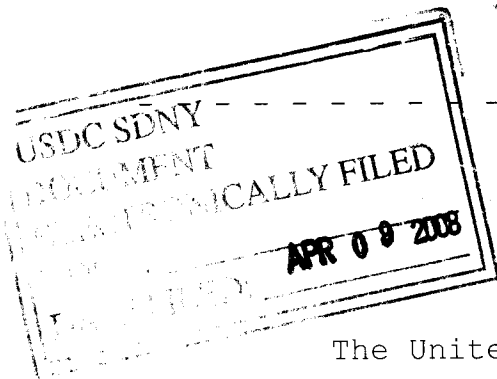
CHRISTOPHER MARTIN,

Defendant.

INFORMATION

08 Cr. ____

08 CRIM 319



COUNT ONE

(Conspiracy)

The United States Attorney charges:

1. From in or about 2001 through and including in or about November 2007, in the Southern District of New York and elsewhere, CHRISTOPHER MARTIN, the defendant, and others known and unknown, unlawfully, willfully, and knowingly did combine, conspire, confederate and agree together and with each other to commit offenses against the United States, to wit, to violate Title 18, United States Code, Sections 1344, 1029(a)(1), and 1029(a)(4).

2. It was a part and an object of the conspiracy that CHRISTOPHER MARTIN, the defendant, and others known and unknown, unlawfully, willfully, and knowingly would and did execute, and attempt to execute, a scheme and artifice to defraud a financial institution, the deposits of which were then insured by the Federal Deposit Insurance Corporation, and to obtain moneys, funds, credits, assets, securities, and other property owned by,

and under the custody and control of, said financial institution by means of false and fraudulent pretenses, representations, and promises, in violation of Title 18, United States Code, Section 1344.

3. It was a further part and an object of the conspiracy that CHRISTOPHER MARTIN, the defendant, and others known and unknown, willfully, knowingly, and with intent to defraud, would and did produce, use, and traffic in one or more counterfeit access devices, in violation of Title 18, United States Code, Section 1029(a)(1).

4. It was a further part and an object of the conspiracy that CHRISTOPHER MARTIN, the defendant, and others known and unknown, unlawfully, willfully, knowingly, and with intent to defraud, would and did produce, traffic in, have control and custody of, and possess device-making equipment, in violation of Title 18, United States Code, Section 1029(a)(4).

Overt Acts

5. In furtherance of the conspiracy and to effect the illegal objects thereof, the following overt act, among others, was committed in the Southern District of New York and elsewhere:

a. In or about 2007, CHRISTOPHER MARTIN, the defendant, used stolen debit card account information that he obtained over the Internet from a co-conspirator not named herein ("CC-1") to make approximately \$20,000 in unauthorized withdrawals from multiple bank accounts, including accounts in the Southern District of New York.

b. In or about 2006, CHRISTOPHER MARTIN, the defendant, used a device that encodes data on to the bar codes of plastic credit cards to program stolen debit card account information on to blank credit cards in order to steal money from bank accounts.

(Title 18, United States Code, Section 371.)

COUNT TWO

(Bank Fraud)

The United States Attorney further charges:

6. From in or about 2001 through and including in or about November 2007, in the Southern District of New York and elsewhere, CHRISTOPHER MARTIN, the defendant, unlawfully, willfully, and knowingly did execute, and attempt to execute, a scheme and artifice to defraud a financial institution, the deposits of which were then insured by the Federal Deposit Insurance Corporation, and to obtain moneys, funds, credits, assets, securities, and other property owned by, and under the custody and control of, said financial institution by means of false and fraudulent pretenses, representations, and promises, to wit, MARTIN withdrew funds at automatic teller machines in New York, New York and elsewhere using stolen account information for credit cards issued by FDIC-insured banks.

(Title 18, United States Code, Sections 1344, 20, and 2.)

COUNT THREE

(Access Device Fraud)

The United States Attorney further charges:

7. From in or about 2001 through and including in or about November 2007, in the Southern District of New York and elsewhere, CHRISTOPHER MARTIN, the defendant, unlawfully, willfully, knowingly, and with intent to defraud, did produce, use, and traffic in one or more counterfeit access devices, to wit, MARTIN withdrew funds at automatic teller machines in New York, New York and elsewhere using credit cards that he programmed with stolen credit card account information and using stolen personal identification numbers.

(Title 18, United States Code, Section 1029(a)(1).)

COUNT FOUR

(Access Device Fraud)

The United States Attorney further charges:

8. From in or about 2001 through and including in or about November 2007, in the Southern District of New York and elsewhere, CHRISTOPHER MARTIN, the defendant, unlawfully, willfully, knowingly, and with intent to defraud, did produce, traffic in, have control and custody of, and possess device-making equipment, to wit, MARTIN used a credit card writer/reader to encode blank plastic credit cards with stolen credit card and debit card account information and used those unauthorized cards

to make unauthorized cash withdrawals and purchases.

(Title 18, United States Code, Section 1029(a)(4).)

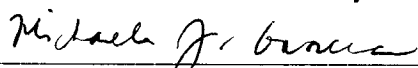
COUNT FIVE

(Structuring to Evade Reporting Requirements)

The United States Attorney further charges:

9. From in or about 2001 through and including in or about November 2007, in the Southern District of New York and elsewhere, CHRISTOPHER MARTIN, the defendant, unlawfully, willfully and knowingly, and for the purpose of evading the reporting requirements of Title 31, United States Code, Section 5313(a) and the regulations prescribed under that section, to wit, the requirement to file currency transactions reports, did structure and assist in structuring, and attempt to structure and assist in structuring, a transaction with one and more domestic financial institutions, while violating other laws of the United States, to wit, while in the Southern District of New York, MARTIN withdrew funds from various bank accounts in amounts less than \$10,000 to avoid having reports generated documenting those transactions.

(Title 31, United States Code, Section 5324(a)(3) and Title 18, United States Code, Section 2.)




MICHAEL J. GARCIA
United States Attorney

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA, :
 : 08 CR. (DLC)
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 -v- : **MEMO TO DOCKET CLERK**
 :
 CHRISTOPHER MARTIN, :
 :
 :
 Defendant. :
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4/9/08

 Waiver of Indictment.

Deft. present w/atty. Bruce Provda.

AUSA Nicholas Goldin present.

FBI Special Agent Chris Stangl present.

Court reporter Jennifer Thun present.

Arraignment held.

Deft. pleads guilty as charged in the Information. The Court accepts the guilty plea. Sentence date set for March 27, 2009 at 2 p.m. Any defense submissions shall be due March 13; Govt's reply due March 20. Bail continued.

COTE, U.S. District Judge

Form No. USA-33s-274 (Ed. 9-25-58)

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